

# EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

ALLIED WASTE NORTH AMERICA, INC., )  
a Delaware Corporation; and BFI )  
WASTE SERVICES, LLC, a Delaware )  
Limited Liability Company, )  
 )  
Plaintiffs, )  
vs. ) CASE NO.  
 ) 3:13-cv-00254  
LEWIS, KING, KRIEG & WALDROP, P.C., )  
a Tennessee Professional Corporation; )  
LINDA HAMILTON MOWLES, an individual; )  
DEBORAH STEVENS, an individual; )  
LEVINE, ORR & GERACIOTI, PLLC, a )  
Tennessee Limited Liability Company; )  
ROBERT ORR, JR., an individual; )  
MICHAEL A. GERACIOTI, an individual; )  
WEINBERG, WHEELER, HUDGINS, GUNN & )  
DIAL, LLC, a Georgia Limited )  
Liability Company; TERRANCE SULLIVAN, )  
an individual; and SCOTT A. )  
WITZIGREUTER, an individual, )  
 )  
Defendants. )  
 )

VIDEOTAPED DEPOSITION OF

MICHAEL A. GERACIOTI

Taken on Behalf of the Plaintiffs

June 6, 2014

Commencing at 9:01 a.m.

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Reported by: Trine M. Mitchell, RPR, LCR  
Tennessee LCR No. 284  
Expires: 6/30/2014

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<p style="text-align: right;">Page 6</p> <p>1 PROCEEDINGS</p> <p>2 THE VIDEOGRAPHER: We are on the</p> <p>3 record at 9:01 a.m. The date today is June 5th,</p> <p>4 2014. This marks the beginning of Disk 1 of the</p> <p>5 video deposition of Michael Geraciotti.</p> <p>6 Will all counsel please introduce</p> <p>7 yourselves.</p> <p>8 MR. NORTHUP: Drug Northup, for the</p> <p>9 plaintiffs.</p> <p>10 MR. LOWE: Darryl Lowe, for Levine,</p> <p>11 Orr &amp; Geraciotti and Rob Orr. And Mr. Geraciotti is</p> <p>12 here today in his individual capacity, as opposed</p> <p>13 to a representative capacity for the firm.</p> <p>14 MR. SCOTT: David Scott, here on</p> <p>15 behalf of Weinberg Wheeler and Terry Sullivan.</p> <p>16 MR. TOWNSEND: Darrell Townsend for</p> <p>17 Lewis King, Debbie Stevens, and Linda Mowels.</p> <p>18 THE VIDEOGRAPHER: Will the court</p> <p>19 reporter please administer the oath.</p> <p>20 MICHAEL A. GERACIOTTI</p> <p>21 was called as a witness, and after having been first</p> <p>22 duly sworn, testified as follows:</p> <p>23 EXAMINATION</p> <p>24 BY MR. NORTHUP:</p> <p>25 Q. Good morning, Mr. Geraciotti.</p> <p>Brentwood Court Reporting Services (615)791-6983</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. And he's now retired, as I understand it?</p> <p>2 A. He retired a few years ago, yes, sir.</p> <p>3 Q. We're here to talk today about --</p> <p>4 primarily the questions I'll ask you is about a</p> <p>5 case that was Nashville Metro versus --</p> <p>6 A. I'm familiar with it.</p> <p>7 Q. -- BFI/Allied Waste and others that was</p> <p>8 tried in 2010. My understanding was the</p> <p>9 engagement from Allied Waste/BFI initially came to</p> <p>10 you.</p> <p>11 Do you remember that being the case?</p> <p>12 A. I don't have any specific recollection.</p> <p>13 That would not surprise me.</p> <p>14 Q. Had you done --</p> <p>15 A. Or -- or -- excuse me. It may have come</p> <p>16 through AIG, which is -- was their -- which was</p> <p>17 their insurance carrier at the time.</p> <p>18 Q. Okay. And when I say -- I mean, you may</p> <p>19 be aware that there are a number of entities back</p> <p>20 at the time of this lawsuit. The ultimate parent</p> <p>21 company was Allied Waste Industries, Incorporated,</p> <p>22 and then there were a number of subsidiaries that</p> <p>23 had either the name Allied or BFI in them. So</p> <p>24 I'll referred to Allied Waste and BFI, if it's</p> <p>25 okay with you, as the entities that were the</p> <p>Brentwood Court Reporting Services (615)791-6983</p>
<p style="text-align: right;">Page 7</p> <p>1 A. Good morning.</p> <p>2 Q. We met briefly off record. My name is</p> <p>3 Doug Northup, and I represent the plaintiffs in a</p> <p>4 lawsuit that you're here to testify about today.</p> <p>5 I don't think we'll take up too much of your time.</p> <p>6 My understanding is that you're a</p> <p>7 litigator and a trial lawyer?</p> <p>8 A. Yes, ma'am -- yes, sir.</p> <p>9 Q. How long have you been practicing?</p> <p>10 A. Since 1985.</p> <p>11 Q. And so over the last ten years, what's</p> <p>12 been the nature of the types of cases you've</p> <p>13 handled?</p> <p>14 A. Mostly medical in nature. Products</p> <p>15 liability, and then miscellany.</p> <p>16 Q. You're with the law firm -- is it still</p> <p>17 Levine, Orr &amp; Geraciotti?</p> <p>18 A. It is.</p> <p>19 Q. How many lawyers are in that firm?</p> <p>20 A. Today?</p> <p>21 Q. Yes, sir.</p> <p>22 A. I'm guessing six.</p> <p>23 Q. And a gentleman named Robert Orr, I think,</p> <p>24 used to be a -- a principal in that firm?</p> <p>25 A. He was.</p> <p>Brentwood Court Reporting Services (615)791-6983</p>	<p style="text-align: right;">Page 9</p> <p>1 defendants in that lawsuit.</p> <p>2 A. That's fine.</p> <p>3 Q. Do you remember, had your firm -- well,</p> <p>4 let me ask you, first, you; had you ever done work</p> <p>5 for any of the Allied or BFI entities prior to</p> <p>6 this engagement?</p> <p>7 A. Yes.</p> <p>8 Q. Do you know approximate number of times?</p> <p>9 A. I don't. And -- and I should add that the</p> <p>10 way the referrals work and the assignments work in</p> <p>11 our law firm is, the AIG adjuster would call a</p> <p>12 point of contact, and then that lawyer would</p> <p>13 accept the file and then assign it out to the</p> <p>14 appropriate individual. And my guess is, in that</p> <p>15 day and age, maybe 50 percent of our work came</p> <p>16 from AIG, so you had maybe 10 lawyers doing the</p> <p>17 AIG work. And so that call may have come to me, I</p> <p>18 just don't recall specifically.</p> <p>19 Q. I have some -- some documents I'll show</p> <p>20 you that might refresh your recollection.</p> <p>21 Do you remember how many times that you</p> <p>22 had represented any of the Allied or BFI entities</p> <p>23 before this lawsuit?</p> <p>24 A. I think you already asked that, and I</p> <p>25 don't have any specific recollection.</p> <p>Brentwood Court Reporting Services (615)791-6983</p>

3 (Pages 6 to 9)

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## 1 E R R A T A

2 I, MICHAEL A. GERACIOTI, having read  
 3 the foregoing deposition, Pages 1 through 67,  
 4 taken June 6, 2014, do hereby certify said  
 5 testimony is a true and accurate transcript,  
 6 with the following changes, if any:

7	PAGE	LINE	SHOULD HAVE BEEN
8	<u>19</u>	<u>13</u>	<u>"in" should be "and"</u>
9	<u>21</u>	<u>22</u>	<u>"have" should be "had"</u>
10			
11			
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} Typo  
or  
mispronunciation

17

18

19

MICHAEL A. GERACIOTI

20

21

Subscribed and sworn to before me, this 7<sup>th</sup> day  
 22 of July, 2014.

23

24

Debbie R. Cooper  
 Notary Public

25

My commission expires: 5-8-2017  
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CERTIFICATE OF REPORTER

I, Trine M. Mitchell, RPR, Notary  
Public and Court Reporter, do hereby certify  
that I recorded to the best of my skill and  
ability by machine shorthand all the  
proceedings in the foregoing transcript, and  
that said transcript is a true, accurate and  
correct transcript to the best of my ability.

I FURTHER CERTIFY that I am not  
an attorney or counsel of any of the parties,  
nor a relative or employee of any attorney or  
counsel connected with the action, nor  
financially interested in the action.

Signed this 16th day of June,  
2014.

  
Trine M. Mitchell, RPR, LCR



My commission expires: 1/6/15  
Tennessee LCR No. 284  
Expires: 6/30/2014  
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